

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A04.3.B.3 to permit a side yard setback of 16 feet instead of the required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The reason I am filing for this variance is to accommodate the needs of my growing family which requires additional living space. The most sensible and economical way of meeting this need is to make modifications to the already existing structures.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name) Signature Address City and State

Legal Owner(s): (Type or Print Name) Signature Address City and State

Attorney for Petitioner: (Type or Print Name) Signature Address City and State

Attorney's Telephone No.: Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of December 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of February 1981, at 9:45 o'clock A.M.

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Attorney for Petitioner: (Type or Print Name) Signature Address City and State

Attorney's Telephone No.: Address Phone No.

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Attorney for Petitioner: (Type or Print Name) Signature Address City and State

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RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
W/S of Pfeffers Rd., 674' SE of Bradshaw Rd., 11th District : OF BALTIMORE COUNTY

MILLARD C. MISKELLY, et ux, : Case No. 81-148-A  
Petitioners : : : : : :

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County

Charter, I hereby enter my appearance in this proceeding. You are requested to notify

me of any hearing date or dates which may be now or hereafter designated therefore,

and of the passage of any preliminary or final Order in connection therewith.

I HEREBY CERTIFY that on this 28th day of January, 1981, a copy of the foregoing

Order was mailed to Mr. and Mrs. Millard C. Miskelly, 11204 Pfeffers Road, Baltimore,

Maryland 21021, Petitioners.

Peter Max Zimmerman John W. Hession, III  
Deputy People's Counsel People's Counsel for Baltimore County  
Towson, Maryland 21204  
494-2188

John W. Hession, III

John W. Hession, III

John W. Hession, III

John W. Hession, III

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RE: PETITION FOR VARIANCE : BEFORE THE  
W/S of Pfeffers Road, 674' SE of : ZONING COMMISSIONER  
Bradshaw Road - 11th Election : OF  
District : BALTIMORE COUNTY  
Millard Miskelly, et ux -  
Petitioners  
NO. 81-148-A (Item No. 119) :

This matter comes before the Zoning Commissioner as the result of a Petition for Variance to permit a side yard setback of 16 feet in lieu of the required 50 feet. The petitioners, Millard C. and Ann E. Miskelly, propose to add additional habitable space to an existing improvement and to connect it to their existing dwelling by a breezeway.

According to the testimony of the petitioners' son, Terry Miskelly, the structure to be improved was originally constructed as a dwelling for his parents while their present home was being constructed. Subsequently, it was occupied by his grandmother until her death in 1970. Since 1970, it has not been used either as living quarters or a garage, but has been assessed as an occupied garage. He further testified that he recently married and wishes to again use the building as living quarters for his wife and himself. He intends to enlarge and renovate the structure to create a bedroom and family room connected by a breezeway to the dwelling inhabited by his parents. This would provide privacy for both families, but would afford access to those living facilities otherwise not available. He submitted a petition, marked Petitioners' Exhibit 1, signed by neighbors in support of the requested variance.

Mrs. Philip Muller, an adjoining property owner and protestant, testified that the petitioners' dwelling already contains additional living space in the nature of a basement apartment—once occupied by another of the petitioners' sons but presently vacant. She further testified that the existing septic system appeared to be failing and was possibly contaminating her well. Additionally, she testified that the improvements were begun without the benefit of a building

permit and that when the petitioners applied for the permit, the application specified that the work was for an addition to an existing garage. This was not refuted by the petitioners. She also submitted a petition, marked Protestants' Exhibit 1, containing signatures of others who oppose the variance.

The Baltimore County Department of Health, in its comments dated January 22, 1981, agreed with a portion of Mrs. Muller's testimony in that an inspection disclosed that "The sewage disposal system is failing, with sewage being discharged onto the ground surface."

Section 307 of the Baltimore County Zoning Regulations empowers the Zoning Commissioner to grant variances from area regulations only in cases where strict compliance with the regulations would result in practical difficulty or unreasonable hardship, only if in strict harmony with the spirit and intent of said area regulations, and only in such manner as to grant relief without substantial injury to public health, safety, and general welfare.

In this matter, the purpose of the variance is to provide additional habitable space for the petitioners' son. Undisputed testimony by the adjoining property owner indicated that a vacant basement apartment already exists in the petitioners' dwelling. There was no testimony to indicate that its existence is in violation of the zoning regulations, and, therefore, it is presumed to be a valid use. The only hardship that exists is the one created by the petitioners, which resulted by the work being started without the benefit of a building permit as depicted by Protestants' Exhibit 2, and prior to the granting of a variance to allow the requested setback. To give recognition to these causes for the alleged hardship would not be in strict harmony with the spirit and intent of the zoning regulations.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 4th day of June, 1981, that the herein Petition for Variance to permit a side yard setback of 16 feet in lieu of the required 50 feet be and the same is hereby DENIED.

RE: PETITION FOR VARIANCE : BEFORE THE  
W/S of Pfeffers Road, 674' SE of : ZONING COMMISSIONER  
Bradshaw Road - 11th Election : OF  
District : BALTIMORE COUNTY  
Millard Miskelly, et ux -  
Petitioners  
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Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 4th day of June, 1981, that the herein Petition for Variance to permit a side yard setback of 16 feet in lieu of the required 50 feet be and the same is hereby DENIED.

John W. Hession, III  
Zoning Commissioner of Baltimore County

John W. Hession, III  
Zoning Commissioner of Baltimore County

John W. Hession, III  
Zoning Commissioner of Baltimore County



BALTIMORE COUNTY  
ZONING PLANS  
ADVISORY COMMITTEE



PETITION AND SITE PLAN  
EVALUATION COMMENTS

Mr. & Mrs. Millard C. Miskelly  
11204 Pfeffers Road  
Bradshaw, Maryland 21021

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 23rd day  
of December 1980.

*William E. Hammond*  
WILLIAM E. HAMMOND  
Zoning Commissioner

Petitioner Millard C. Miskelly, et ux

Petitioner's Attorney \_\_\_\_\_

Reviewed by \_\_\_\_\_

*Nicholas B. Commodari*  
NICHOLAS B. COMMODARI  
Chairman, Zoning Plans  
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 6, 1981

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

ofo  
Nicholas B. Commodari  
Chairman

MEMBERS  
Bureau of  
Engineering  
Department of  
Traffic Engineering  
State Roads Commission  
Bureau of  
Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial  
Development

Mr. & Mrs. Millard C. Miskelly  
11204 Pfeffers Road  
Bradshaw, Maryland 21021

RE: Item No. 119  
Petitioner - Millard C. Miskelly, et ux  
Variance Petition

Dear Mr. & Mrs. Miskelly:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Located on the west side of Pfeffers Road south of Bradshaw Road in the 11th Election District, the subject property is presently improved with a dwelling and an unattached building. Because this latter structure is proposed to be attached to the existing dwelling with a breezeway, this Variance hearing is required.

Particular attention should be afforded to the comments of the Health Department, and any questions concerning these comments may be directed to Mr. Rob Powell at 494-2762.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

*Nicholas B. Commodari*  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bao

Enclosures



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

January 29, 1981

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #119 (1980-1981)  
Property Owner: Millard C. & Ann E. Miskelly  
W/S Pfeffers Rd. 674' S/E of Bradshaw Rd.  
Acres: 0.530 Acres District: 11th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Pfeffers Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property, which is utilizing private onsite water and sewage disposal facilities for the single family dwelling (111204 Pfeffers Road).

This property is within the Baltimore County Metropolitan District and beyond the Urban-Rural Demarcation Line. Baltimore County Water and Sewerage Plans W and S-17B, as amended, indicate "No Planned Service" in the area.

Very truly yours,  
*Robert A. Morton*  
ROBERT A. MORTON, P.E., Chief  
Bureau of Public Services

RAM:EAM:RWR:ss

cc: J. Wimbley, J. Trenner, J. Gast



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
TOWSON, MARYLAND 21204  
494-3211

NORMAN E. GERDER  
DIRECTOR

January 29, 1981

Mr. William Hammond, Zoning Commissioner  
Zoning Advisory Committee  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #119, Zoning Advisory Committee Meeting, December 23, 1980, are as follows:

Property Owner: Millard C. and Ann E. Miskelly  
Location: W/S Pfeffers Road 674' S/E of Bradshaw Road  
Acres: 0.530 acres  
District: 11th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,  
*John L. Wimbley*  
John L. Wimbley  
Planner III  
Current Planning and Development

JLW:rh



BALTIMORE COUNTY  
DEPARTMENT OF HEALTH  
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.  
DEPUTY STATE & COUNTY HEALTH OFFICER

January 22, 1981

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #119, Zoning Advisory Committee Meeting of  
December 23, 1980, are as follows:

Proposer's Owner: Millard C. & Ann E. Miskelly  
Location: W/S Pfeffers Rd. 674' S/E of Bradshaw Road  
Existing Zoning: R.C. 5  
Proposed Zoning: Variance to permit a side yard setback of  
16' in lieu of the required 50'.  
Acres: 0.530 Acres  
District: 11th

There are presently two building structures on the property; the existing dwelling and a detached building with a proposed addition. This detached building was once used as a living residence and contains plumbing fixtures. This structure was also served by its own septic system consisting of a septic tank and drainfield which still exists. This building has been unoccupied for an extended period of time and in its present condition, is uninhabitable.

The existing dwelling is presently served by a dug well and sewage disposal system. The dug well is in poor condition, possibly receiving surface water contamination; therefore a bacteriological water sample cannot be collected. It is recommended that the owner obtain a source of potable water by having a new well drilled.

The sewage disposal system is failing, with sewage being discharged onto the ground surface. The owner has been notified to correct the failure. A reinspection will be made on or about February 2, 1981 to determine if the failing condition has been corrected.

The proposed addition will not interfere with the location of the well or sewage disposal system.

Mr. William E. Hammond

- 2 -

January 22, 1981

The dwelling and detached building with addition will not increase the number of people presently occupying the dwelling. Therefore, this Department will approve a building Permit for the addition with the stipulation that no plumbing fixtures, including existing, will be permitted either in the addition or detached building.

Since no plumbing fixtures will be permitted in the detached building and addition (to be used as a family room and bedroom); the septic tank must be properly abandoned and backfilled as per Baltimore County Plumbing - Gasfitting Code, Section 16.1.7.

Very truly yours,

*Ian J. Forrest*  
Ian J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

IJF/mw



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204  
825-7310

PAUL H. REINCKE  
CHIEF

January 22, 1981

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Millard C. & Ann E. Miskelly

Location: W/S Pfeffers Road 674' S/E of Bradshaw Road

Item No.: 119 Zoning Agenda: Meeting of Dec. 23, 1980

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY *Paul H. Reincke* 1/24/81 Noted and Approved: *George M. Hagan*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb



## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari Date: January 22, 1981  
FROM: Charles E. (Ted) Burnham  
Zoning Advisory Committee  
SUBJECT: Meeting December 23, 1980

ITEM NO. 116 Standard Comment  
ITEM NO. 117 Standard Comment  
ITEM NO. 118 See Comments  
ITEM NO. 119 Standard Comment  
ITEM NO. 120 See Comment  
ITEM NO. 121 See Comment

*Charles E. Burnham*  
Charles E. (Ted) Burnham  
Plans Review Supervisor

CEB:rrj

## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond  
Zoning Commissioner Date: January 29, 1981  
FROM: Norman E. Gerber, Director  
Office of Planning and Zoning  
SUBJECT: Petition No. 81-148-A Item 119

Petition for Variance for side yard setback  
West side of Pfeffers Road, 674 feet Southeast of Bradshaw Road  
Petitioner- Millard C. Miskelly, et ux

## Eleventh District

HEARING: Tuesday, February 17, 1981 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

*Norman E. Gerber*  
Norman E. Gerber, Director  
Office of Planning and Zoning

NEG:JGH:el

## BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: January 5, 1981

Mr. William E. Hammond  
Zoning Commissioner  
Baltimore County Office Building  
1111 West Chesapeake Avenue  
Towson, Maryland 21204

Z.A.C. Meeting of: December 23, 1980

RE: Item No: 116, 117, 118, 119, 120, 121  
Property Owner:  
Location:  
Present Zoning:  
Proposed Zoning:

District:  
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

*Wm. Nick Petrovich*  
Wm. Nick Petrovich, Assistant  
Department of Planning

WNP/bp

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3333

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

February 5, 1981

Mr. & Mrs. Millard C. Miskelly  
11204 Pfeffers Road  
Bradshaw, Maryland 21021

RE: Petition for Variance  
W/S Pfeffers Rd., 674' SE of  
Bradshaw Road  
Case No. 81-148-A

Dear Mr. &amp; Mrs. Miskelly:

This is to advise you that \$55.25 is due for advertising  
and posting of the above-property.

Please make check payable to Baltimore County, Maryland and  
remit to Sondra Jones, Room 113, County Office Building, Towson,  
Maryland 21204, before the hearing.

Very truly yours,  
*William E. Hammond*  
WILLIAM E. HAMMOND  
Zoning Commissioner

WEH:sj

January 19, 1981

Mr. & Mrs. Millard C. Miskelly  
11204 Pfeffers Road  
Bradshaw, Maryland 21021

## NOTICE OF HEARING

RE: Petition for Variance - W/S Pfeffers Rd., 674'  
SE of Bradshaw Road - Case No. 81-148-A

TIME: 9:45 A.M.

DATE: Tuesday, February 17, 1981

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

*William E. Hammond*  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER OF  
BALTIMORE COUNTY

## PETITION FOR VARIANCE

11th District

ZONING: Petition for Variance for side yard setback  
LOCATION: West side of Pfeffers Road, 674 feet Southeast of Bradshaw  
Road  
DATE & TIME: Tuesday, February 17, 1981 at 9:45 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,  
Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act  
and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback  
of 16 feet in lieu of the required 50 feet

The Zoning Regulation to be excepted as follows:

Section 1A04.3.B.3 - side yard setbacks

All that parcel of land in the Eleventh District of Baltimore County

Being the property of Millard C. Miskelly, et ux, as shown on plat plan filed  
with the Zoning Department

Hearing Date: Tuesday, February 17, 1981 at 9:45 A.M.  
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,  
Towson, Maryland

BY ORDER OF  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

## PETITION FOR VARIANCE

11th District

ZONING: Petition for Variance for side yard setback  
LOCATION: West side of Pfeffers Road, 674 feet Southeast of Bradshaw  
Road  
DATE & TIME: Tuesday, February 17, 1981 at 9:45 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,  
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with the Zoning Department

Hearing Date: Tuesday, February 17, 1981 at 9:45 A.M.  
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,  
Towson, Maryland

BY ORDER OF  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

## ZONING DESCRIPTION

Beginning for the same in the center of Pfeffer's Road at  
the distance of 674 feet south of Bradshaw Road thence south  
19 degrees 03 minutes east 108.14 feet thence leaving the  
road and running for the three following lines of division  
now made viz., south 69 degrees 15 minutes west for a distance  
of 200.01 feet in all to a pipe and north 19 degrees 03 minutes  
west 123.00 feet to a pipe and north 73 degrees 30 minutes 30  
seconds east passing over a pipe at the end of 175.09 feet to-  
talling 200.11 feet to place of beginning.  
Containing 0.530 of an acre more or less AKA  
11204 Pfeffers Road, Bradshaw, Maryland 21021

Mr. & Mrs. Millard C. Miskelly  
11204 Pfeffers Road  
Bradshaw, Maryland 21021

June 4, 1981

RE: Petition for Variance  
W/S of Pfeffers Road, 674' SE of  
Bradshaw Road - 11th Election  
District  
Millard Miskelly, et ux -  
Petitioner  
NO. 81-148-A (Item No. 119)

Dear Mr. & Mrs. Miskelly:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND  
Zoning Commissioner

WEH/srl

Attachments

cc: Mrs. Philip Muller  
11208 Pfeffers Road  
Bradshaw, Maryland 21021

John W. Hession, III, Esquire  
People's Counsel

January 22, 1981

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #119, Zoning Advisory Committee Meeting of  
December 23, 1980, are as follows:

Property Owner: Millard C. & Ann E. Miskelly  
Location: W/S Pfeffers 674' S/E of Bradshaw Road  
Existing Zoning: B.C. 55  
Proposed Zoning: Variance to permit a side yard setback of  
15' in lieu of the required 50'.  
Acreage: 0.530 Acres  
District: 11th

There are presently two building structures on the property; the existing dwelling and a detached building with a proposed addition. This detached building was once used as a living residence and contains plumbing fixtures. This structure was also served by its own septic system consisting of a septic tank and drainfield which still exists. This building has been unoccupied for an extended period of time and in its present condition, is uninhabitable.

The existing dwelling is presently served by a dug well and sewage disposal system. The dug well is in poor condition, possibly receiving surface water contamination; therefore a bacteriological water sample cannot be collected. It is recommended that the owner obtain a source of potable water by having a new well drilled.

The sewage disposal system is failing, with sewage being discharged onto the ground surface. The owner has been notified to correct the failure. A reinspection will be made on or about February 2, 1981 to determine if the failing conditions have been corrected.

The proposed addition will not interfere with the location of the well or sewage disposal system.

Mr. William E. Hammond

- 2 -

January 22, 1981

The dwelling and detached building with addition will not increase the number of people presently occupying the dwelling. Therefore, this Department will approve a building permit for the addition with the stipulation that no plumbing fixtures, including existing, will be permitted either in the addition or detached building.

Since no plumbing fixtures will be permitted in the detached building and addition (to be used as a family room and bedroom); the septic tank must be properly abandoned and backfilled as per Baltimore County Plumbing - Gasfitting Code, Section 16.1.7.

Very truly yours,

Don J. Fogel, Director  
BUREAU OF ENVIRONMENTAL SERVICES

LJF/ML/JRP

# BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 6, 1981

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

ooo  
Nicholas B. Commodari  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Public Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Mr. & Mrs. Millard C. Miskelly  
11204 Pfeffers Road  
Bradshaw, Maryland 21021

RE: Item No. 119  
Petitioner - Millard C. Miskelly, et ux  
Variance Petition

Dear Mr. & Mrs. Miskelly:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Located on the west side of Pfeffers Road south of Bradshaw Road in the 11th Election District, the subject property is presently improved with a dwelling and an unattached building. Because this latter structure is proposed to be attached to the existing dwelling with a breezeway, this Variance hearing is required.

Particular attention should be afforded to the comments of the Health Department, and any questions concerning these comments may be directed to Mr. Rob Powell at 494-2762.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari  
Chairman  
Zoning Plans Advisory Committee

NBC:bso

Enclosures

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: The Honorable Norman W. Lauenstein  
Councilman, Fifth District  
Mr. William E. Hammond  
FROM: Zoning Commissioner  
Case No. 81-148-A  
SUBJECT: Millard C. Miskelly, et ux - Petitioners

Date: June 9, 1981

Norman:

With reference to your correspondence of May 22nd, I am enclosing herewith a copy of my decision, which I believe you will find to be self-explanatory.

If I can be of any further assistance, please so advise.

WILLIAM E. HAMMOND  
Zoning Commissioner

WEH/srl

Enclosure

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: William Hammond  
Zoning Commissioner  
FROM: Norman W. Lauenstein  
Councilman, Fifth District  
SUBJECT: Letter - Millard C. Miskelly, et ux  
81-148-A

Date: May 22, 1981

Bill:

Enclosed you will find a letter from Millard C. Miskelly which was received at my district office.

Any comments your office would like to make pertaining to same, would be appreciated.

NWL/klp

Enclosure

May 20, 1981

Councilman Norman Lauenstein  
809 Eastern Boulevard  
Baltimore, Maryland 21221

Dear Mr. Lauenstein,

In November of 1980, we filed for a variance for a 16' side yard setback on an existing building and a 10' addition to the back of it at 11204 Pfeffers Road in Bradshaw. This building has been filed, for tax purposes, with Baltimore County as an 'occupied garage' for the last 30 years and had been used as living quarters until 1971 (20 years).

My son and his wife were married in October, 1980. Due to the present economy, they are living with us and additional living space is now required. In order to afford them some privacy of their own and make living conditions more comfortable, we would like to connect our home and 'garage' with a breezeway and renovate the smaller building into a living room and bedroom for them.

We had a hearing on February 17, 1981 and to date, no decision has been reached in our case. We are anxious to have an answer on this as soon as possible so we may proceed with our plans if our request has been granted.

We would appreciate any help you can render in our regard.

Sincerely,

M. C. Miskelly  
Millard C. Miskelly

11204 Pfeffers Rd

Bradshaw, Md 21021

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond  
Zoning Commissioner  
FROM: Norman E. Gerber, Director  
Office of Planning and Zoning  
SUBJECT: Petition No. 81-148-A Item 119

Date: January 29, 1981

Petition for Variance for side yard setback  
West side of Pfeffers Road, 674 feet Southeast of Bradshaw Road  
Petitioner - Millard C. Miskelly, et ux

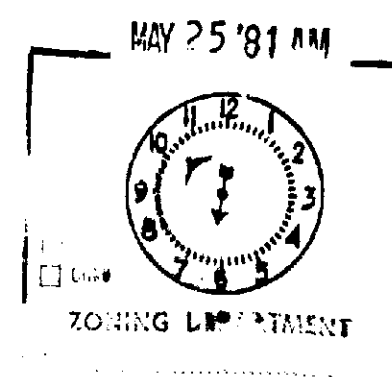
Eleventh District

HEARING: Tuesday, February 17, 1981 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber, Director  
Office of Planning and Zoning

NEG:JGH:bob





# ZONING DESCRIPTION

Beginning for the same in the center of Pfeffer's Road at the distance of 674 feet south of Bradshaw Road thence south 19 degrees 03 minutes east 108.14 feet thence leaving the road and running for the three following lines of division now made viz., south 69 degrees 15 minutes west for a distance of 200.01 feet in all to a pipe and north 15 degrees 03 minutes west 123.00 feet to a pipe and north 73 degrees 30 minutes 30 seconds east passing over a pipe at the end of 175.09 feet totaling 200.11 feet to place of beginning.  
Containing 0.530 of an acre more or less AKA  
11204 Pfeffers Road, Bradshaw, Maryland 21021



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204  
823-7310

PAUL H. REINCKE  
CHIEF

January 29, 1981

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Millard C. & Ann E. Miskelly

Location: 1/3 Pfeffers Road 574' S/E of Bradshaw Road

Item No.: 119 Zoning Agenda: Meeting of Dec. 23, 1980

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

**X** 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: *George M. Wagoner* Noted and Approved: *George M. Wagoner*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

January 29, 1981

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #119 (1980-1981)  
Property Owner: Millard C. & Ann E. Miskelly  
W/S Pfeffers Rd. 574' S/E of Bradshaw Rd.  
Acres: 0.530 Acres District: 11th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Pfeffers Rd., an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property, which is utilizing private onsite water and sewage disposal facilities for the single family dwelling (#11204 Pfeffers Road).

This property is within the Baltimore County Metropolitan District and beyond the Urban-Rural Demarcation Line. Baltimore County Water and Sewerage Plans W and S-17B, as amended, indicate "No Planned Service" in the area.

Very truly yours,  
*Robert A. Morton*  
ROBERT A. MORTON, P.E., Chief  
Bureau of Public Services

RAM:EAM:FWR:ss

cc: J. Wimbley, J. Trenner, J. Cast

Mr. Hammond  
I am not able to be there on Feb. 17, 1981 for case 81-148A. This is to register a protest for property line variance from 50 to 16.

*Edred D. Kopp, Upper Falls, Md. 21156*

MILLARD C. MISKELLY,  
et al

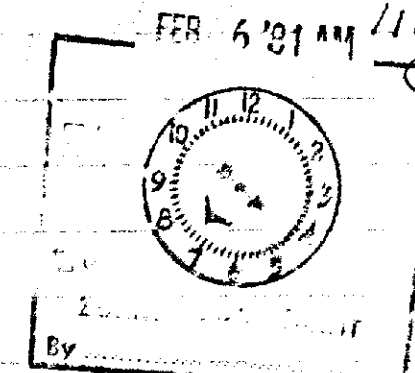
81-215  
209  
Mr. William Hammond  
Zoning Commissioner  
County Office Bldg.  
Towson Md 21204

Wesley M. Hammond  
This is to register a protest regarding case 81-148A scheduled for Feb 17-1981.

Our property abuts that of Mr. Miskelly, 11204 Pfeffers Rd. who is requesting a property line variance from the requested 50' to 16'. This change is most objectionable to us.

We shall attend the hearing to protest this request

Sincerely  
Mr. & Mrs. Chely Muller  
11208 Pfeffers Rd  
Bradshaw Md 21021  
592-9281



Mr. Hammond  
I am not able to be there on Feb 17-1981 for case 81-148A  
This is to register a protest for property line variance. From 50 to 16.

Claude N. Anderson  
7617 Chapman Road  
Kingsville Md 21087

Mr. Hammond  
If you allow this many more will too. I am against property line variance case 81-148A. I am not able to be there on Feb 17-1981 from 50' to 16'  
William Kopp Upper Falls, Md 21156

Mr. Hammond  
This is to certify that I am against property line variance case 81-148A. If we grant this how many more will take their garage and make it into living quarters. I am not able to be there on Feb 17

Mr. James S. Lister  
11601 Grantlennville Rd.



W. Hammond

If you allow this, many more  
will try. I am against property line  
variance east 81-148-A. I am not  
able to be here on Feb. 17, 1981.

Please do not change the variance  
line from 50' to 16 feet.

Paul Peterson - Upper Falls, Md 21156

This is in request a protest  
regarding case 81-148-A scheduled  
for Feb 17-1981. Property line variance  
This is to protest not to have a change  
for 50 to 16

Shawn Myers 10801 Peppers Rd.  
Bradshaw, Md. 21024  
Minnie Wilcox 7813 Bradshaw Road  
Upper Falls, Md. 21156

Herman Wilcox 11014 Peppers Rd  
Bradshaw 21156  
H. P. H. when he living 7821 Bradshaw Rd  
Upper Falls MD

John Wilcox 10814 Peppers Rd  
Bradshaw Md 21024  
Shirley Coster 8175 Bradshaw Rd  
Bradshaw Md 21024

T.W. Smith 8030 Bradshaw Rd  
21021  
Jeffrey Green 11014 Peppers Rd  
Upper Falls, Md 21156

C. A. Stephens 7913 Bradshaw Rd.  
Upper Falls, Md 21156  
Cindy McCrea 8015 Bradshaw Rd  
Upper Falls, MD 21156

PETITION

Millard C. Miskelly  
11204 Peppers Road  
Bradshaw, MD 21021

February 7, 1981

We the undersigned, do hereby indicate that we have no objection  
to Millard C. Miskelly's request for property line variance from  
the required 50 feet to 16 feet.

NAME	ADDRESS	DATE
Mrs. Carolyn Appel	11211 Peppers Rd.	2/7/81
Jesse E. Appel	11211 Peppers Rd.	02-07-81
Walter E. Sittell	11217 Peppers Rd.	02-07-81
Edna E. Sittell	11217 Peppers Rd.	2-7-81
Shah J. M. Wilk	11224 Peppers Rd.	2/7/81
James M. Wilk	11224 Peppers Rd.	2/7/81
William J. Wilk	11224 Peppers Rd.	2-7-81
John Wilk	11202 Peppers Rd.	2-7-81
Donald W. Wilk	11131 Peppers Rd.	2/7/81
Andrew Wilk	11131 Peppers Rd.	2-8-81
Norman J. Wilk	11224 Peppers Rd.	2-8-81
Lawrence J. Wilk	11224 Peppers Rd.	2-8-81

PETITIONER'S  
EXHIBIT 1

Mr. & Mrs. Millard C. Miskelly  
11204 Peppers Road  
Bradshaw, Maryland 21021

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 23rd day  
of December 1980.

WILLIAM E. HAMMOND  
Zoning Commissioner

Petitioner Millard C. Miskelly, et ux

Petitioner's Attorney Reviewed by: Nicholas B. Commodari  
Chairman, Zoning Plans  
Advisory Committee

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 11 Date of Posting 11/31/81  
Posted for: Petition for Variance  
Petitioner: Millard Miskelly, et ux  
Location of property: 11215 Peppers Rd., 6741 SE  
Location of Signs: Front of property (4 11204 Peppers)  
Remarks: \_\_\_\_\_  
Posted by: Mark L. Leman Date of return: 3/6/81  
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. January 29, 1981

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper printed  
and published in Towson, Baltimore County, Md., on the 29th day  
of January, 1981, the first publication  
appearing on the 29th day of January  
1981.

THE JEFFERSONIAN  
B. Frank Strickland  
Manager.

Cost of Advertisement, \$ \_\_\_\_\_

PETITION FOR VARIANCE  
11th DISTRICT

ZONING: Petition for Variance for  
side yard setback.  
LOCATION: West side of Peppers  
Road, 674 feet Southeast of Brad-  
shaw Road.  
DATE & TIME: Tuesday, February  
17, 1981 at 8:45 A.M.  
PUBLIC HEARING: Room 106,  
County Office Building, 111 W.  
Chesapeake Avenue, Towson, Md.  
21204.

The Zoning Commissioner of Bal-  
timore County, by authority of the  
Zoning Act and Regulations of Bal-  
timore County, will hold a pub-  
lic hearing:  
Petition for Variance to permit a  
side yard setback of 16 feet in  
lieu of the required 50 feet.  
The Zoning Regulation to be ex-  
cepted as follows:  
Section 1404.2.B.3 - side yard set-  
backs.

All that parcel of land in the  
Eleventh District of Baltimore  
County  
Beginning for the same in the  
center of Peppers Road at the dis-  
tance of 74 feet south of Bradshaw  
Road thence south 19 degrees 03  
minutes east 108.14 feet thence leav-  
ing the road and running for the  
three following lines of division  
now made viz., south 89 degrees 15  
minutes west for a distance of 200.11  
feet in 21 to a pipe and north 19  
degrees 03 minutes west 123.00 feet  
to a pipe and north 73 degrees 30  
minutes 30 seconds east passing over  
a pipe at the end of 175.00 feet  
totaling 200.11 feet to the place of  
beginning.

Containing 0.530 of an acre more  
or less AKA 11204 Peppers Road,  
Bradshaw, Maryland 21021.  
Being the property of Millard C.  
Miskelly, et ux, as shown on plat  
plan filed with the Zoning Depart-  
ment.  
Hearing Date: Tuesday, February  
17, 1981 at 8:45 A.M.  
Public Hearing: Room 106, Coun-  
ty Office Building, 111 W. Ches-  
apeake Avenue, Towson, Maryland.  
By Order of  
WILLIAM E. HAMMOND,  
Zoning Commissioner of  
Baltimore County  
Jan. 29

DUPLICATE  
CERTIFICATE OF PUBLICATION

TOWSON, MD. January 29, 1981

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper printed  
and published in Towson, Baltimore County, Md., on the 29th day  
of January, 1981, the first publication  
appearing on the 29th day of January  
1981.

THE JEFFERSONIAN  
B. Frank Strickland  
Manager.

Cost of Advertisement, \$ \_\_\_\_\_

Petition  
For Variance

Zoning: Petition for  
Variance for side yard  
setback.  
Location: West side of  
Peppers Road, 674 feet  
southeast of Bradshaw  
Road.  
Date & Time: Tuesday,  
February 17, 1981 at 8:45  
A.M.  
Public Hearing: Room  
106, County Office  
Building, 111 W.  
Chesapeake Avenue,  
Towson, Maryland.  
The Zoning Commissioner of Baltimore  
County, by authority of the  
Zoning Act and  
Regulations of Baltimore  
County, will hold a public  
hearing:

Petition for Variance to  
permit a side yard setback  
of 16 feet in lieu of the  
required 50 feet.  
The Zoning Regulation to  
be excepted as follows:  
Section 1404.2.B.3 - side  
yard setbacks.

All that parcel of land in  
the Eleventh District of  
Baltimore County  
Beginning for the same in  
the center of Peppers  
Road at the distance of 74  
feet south of Bradshaw  
Road thence south 19  
degrees 03 minutes east  
108.14 feet thence leav-  
ing the road and run-  
ning for the three follow-  
ing lines of division now  
made viz., south 89 de-  
grees 15 minutes west for  
a distance of 200.11 feet  
in all to a pipe and north  
19 degrees 03 minutes west  
123.00 feet to a pipe and  
north 73 degrees 30 min-  
utes 30 seconds east pass-  
ing over a pipe at the end  
of 175.00 feet totaling 200.11  
feet to the place of begin-  
ning.

Containing 0.530 of an  
acre more or less AKA  
11204 Peppers Road,  
Bradshaw, Maryland  
21021.  
Being the property of  
Millard C. Miskelly, et ux,  
as shown on plat plan filed  
with the Zoning Depart-  
ment.

Hearing Date: Tuesday,  
February 17, 1981  
at 8:45 A.M.  
Public Hearing: Room  
106, County Office  
Building, 111 W.  
Chesapeake Avenue,  
Towson, Maryland.  
BY ORDER OF  
WILLIAM E. HAMMOND  
Zoning Commissioner  
of Baltimore County

The Essex Times

Essex, Md., Jan 29 1981

This is to Certify, That the annexed  
Petition for Variance

was inserted in The Essex Times, a newspaper  
printed and published in Baltimore County, once in  
each of one successive  
weeks before the 29th day of  
January, 1981  
J. B. Wilk  
Publisher.



John C. Tichtman  
11411 Cedar Lane  
Kingsville, MD 21087

EDWARD LEDZINSKI  
12222 Old Phil Rd  
BRADSHAW, MD 21021

Cecilia M. Siskin  
1122 Bradshaw Road  
Bradshaw, Maryland 21021

C. M. Knight  
12207 Phila. Rd.  
Bradshaw, 21021, Md.

Pauline Taylor  
8130 Bradshaw Rd  
Bradshaw Md 21021

Claude N. Anderson  
7417 Chapman Road  
Kingsville, Md 21087

Mrs. Mayora Conner  
8137 Bradshaw Rd 21021 11907 Sycamore Rd

Doris L. Sippel  
8301 Bradshaw Rd 21021

Bernard C. Becker  
8140 Bradshaw Rd. 21021

Francis E. Streett Jr.  
12225 Philadelphia Rd.  
Bradshaw, Md. 21021

Clifford Ellis  
12213 Phila. Road

# BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received this 12 day of December, 1980.\*

Filing Fee \$ 25.00

Received: ☒ Check

☐ Cash

☐ Other

Item # 119

*William E. Hammond*  
William E. Hammond, Zoning Commissioner

Petitioner Millard C. Miskelly Submitted by Owen

Petitioner's Attorney \_\_\_\_\_ Reviewed by Owen

\*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

## PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>WCH</u>	Revised Plans: Change in outline or description <u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/>									
Previous case: <u>80-43</u>	Map # <u>4C</u>									

Item # 119

